

Notice of Allowability

Application No.

10/001,347

Examiner

Callie E. Shosho

Applicant(s)

BATLAW, RAJNISH

Art Unit

1714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 1/2/04.
2. ☒ The allowed claim(s) is/are 23-30.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 3 <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No. _____ | 7 <input type="checkbox"/> Examiner's Amendment/Comment |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

Callie E. Shosho
Primary Examiner
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Statement of Reasons for Allowance

1. In the office action mailed 12/17/03, claims 23-30 were indicated as allowed, claims 41-44 and 47-48 were rejected, and claims 45-46 and 49-50 were objected to.

In response, in the amendment filed 1/2/04, applicants cancelled claims 41-50.

Thus, present claims 23-30 are allowable over the "closest" prior art Harris et al. (U.S. 5,886,091) and Baumgartner et al. (U.S. 4,812,141) for the following reasons:

Harris et al. disclose gravure ink comprising pigment, solvent, resin, and polymeric colorant, i.e. colored polyurethane obtained from polyoxyalkylene-containing chromophore. However, there is no disclosure or suggestion in Harris et al. that at a brightness level of at least 26, the ink exhibits hue angle of at most 42 as required in present claim 23 or that at a brightness level of at least 26, the ink exhibits a^* level of at most 1.4, b^* level of at most 0.7, and a hue angle of at most 50 as required in present claim 27. It is noted that table 4 of Harris et al. disclose ink possessing certain a^* and b^* values at given brightness or L value which is greater than 26, however, the inks of Table 4 are not black inks comprising black colorant, the values of b^* are outside the scope of claim 27, and there is no disclosure of hue angle as required in all the present claims.

Baumgartner et al. disclose the use of colored thermoplastic resin, suitable for use in gravure ink, which comprises colorant in the form of alkyleneoxy substituted chromophore. However, there is no disclosure or suggestion in Baumgartner et al. that at a brightness level of at least 26, the ink exhibits hue angle of at most 42 as required in present claim 23 or that at a brightness level of at least 26, the ink exhibits a^* level of at most 1.4, b^* level of at most 0.7, and

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a hue angle of at most 50 as required in present claim 27. Further, there is no disclosure of black gravure ink comprising black colorant, solvent, resin, and toner component as required in all the present claims.

Thus, it is clear that Harris et al. and Baumgartner et al., either alone or in combination, do not disclose or suggest the present invention.

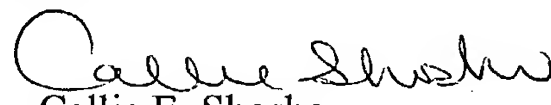
In light of the above, present claims 23-30 are passed to issue.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Callie E. Shosho whose telephone number is 571-272-1123. The examiner can normally be reached on Monday-Friday (6:30-4:00) Alternate Fridays Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasu Jagannathan can be reached on 571-272-1119. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

CS
1/20/04


Callie E. Shosho
Primary Examiner
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